

AUG. 18. 2004 2:52PM

BROWDY AND NEIMARK

NO. 6178 P. 1

RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Beka SOLOMON

Art Unit: 1842

Application No.: 09/441,140

Conf. No. 3910

Examiner: C. Nichols

Filed: November 16, 1999

Washington, D.C.

For: PREVENTION OF PROTEIN AGGREGATION

Atty.'s Docket: SOLOMON=1R

Date: August 18, 2004

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop
Crystal Plaza Two, Lobby, Room 1803
Arlington, VA 22202

VIA TELEFACSIMILE

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AUG 18 2004
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Sir:

Transmitted herewith is a Supplemental Amendment ()
in the above-identified application.

Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

No additional fee is required.

The fee has been calculated as shown below.

	(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL	* 27	MINUS	** 29		0	x 9	\$	x 18	\$	
INDEP.	* 5	MINUS	*** 26		0	x 43	\$	x 88	\$	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+ 145	\$	+ 290	\$	
						ADDITIONAL FEE TOTAL	\$	OR	TOTAL	\$

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

Conditional Petition for Extension of Time
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity Response Filed Within	Other Than Small Entity Response Filed Within
<input type="checkbox"/> First - \$ 55.00	<input type="checkbox"/> First - \$ 110.00
<input type="checkbox"/> Second - \$ 210.00	<input type="checkbox"/> Second - \$ 420.00
<input type="checkbox"/> Third - \$ 475.00	<input type="checkbox"/> Third - \$ 950.00
<input type="checkbox"/> Fourth - \$ 740.00	<input type="checkbox"/> Fourth - \$ 1480.00
Month After Time Period Set	Month After Time Period Set

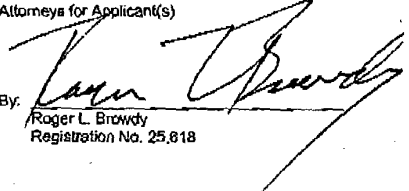
Less fees (\$) already paid for month(s) extension of time on

- Please charge my Deposit Account No. 02-4035 in the amount of \$
- Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.
- A check in the amount of \$ is attached (check no.).

The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time (i.e., not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

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RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:)	Atty. Docket: SOLOMON=1R
Beka SOLOMON)	Conf. No.: 3910
Appln. No.: 09/441,140)	Art Unit: 1647
Filed: November 16, 1999)	Examiner: C. Nichols
For: PREVENTION OF PROTEIN)	Washington, D.C.
AGGREGATION)	August 18, 2004

SUPPLEMENTAL AMENDMENT

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment Non-Fee
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Supplementing applicant's Amendment of August 9,

2004, please amend as follows:

IN THE CLAIMS

Please insert new claims 168-172 as follows:

168. A pharmaceutical formulation, comprising:

(A) an antibody or antigen binding fragment thereof,

wherein:

(i) said antibody is obtainable using residues

1-28 of beta-amyloid as an immunogen, and

(ii) said antibody and said fragment maintain

the solubility of soluble beta-amyloid; and

(B) a pharmaceutically acceptable carrier.